

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Cirpus et al.

Application No.: 10/511621

Conf. No.: 6556

Filed: October 19, 2004

Art Unit: 1644

For: **METHOD FOR PRODUCING MULTIPLE  
UNSATURATED FATTY ACIDS IN PLANTS**

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Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicants has an omission in the Foreign Applications section. The Foreign Applications section should read -- Germany 10219203.0 04/29/2002 --. The foreign priority is indicated on the original Declaration, Power of Attorney and Petition which was filed with the application on October 19, 2004, a copy of which is attached hereto.

In addition, please correct the Attorney Docket No. to read 12810-00043-US in lieu of 53262-20092.00.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

As the error was made by the Patent and Trademark Office, Applicants believe no fee is due with this request.

However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00043-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski  
Registration No.: 55,421  
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495184\_1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Washington, DC 20231-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/511,621	10/19/2004	1644	950	53262-20092.00		3	20

Should read 12810-00043-US CONFIRMATION NO. 6556

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

## FILING RECEIPT



\*OC000000020793289\*

Date Mailed: 10/12/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Petra Cirpus, Mannheim, GERMANY;  
 Andreas Renz, Limburgerhof, GERMANY;  
 Jens Lerchl, Svalov, SWEDEN;  
 Anne-Marie Kuijpers, Otterstadt, GERMANY;

Power of Attorney: The patent practitioners associated with Customer Number 23416.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/04297 04/25/2003

## Foreign Applications

Germany 10219203.0 April 29, 2002 Missing Information

Projected Publication Date: 01/18/2007

Non-Publication Request: No

Early Publication Request: No

## Title

Method for producing multiple unsaturated fatty acids in plants

## Preliminary Class

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-0100, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HAL I (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PATENT**

Atty Docket No.: 53262-20092.00

Inventors: Petra CIRPUS et al.

Atty: JR/nej

Application No.: Not Yet Assigned

Filing Date: October 19, 2004

Title: METHOD FOR PRODUCING MULTIPLE UNSATURATED FATTY ACIDS IN PLANTS

Client: BASF

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Transmittal Letter to the US Designated/Elected Office Concerning a Filing Under 35 USC 371 (2 pgs.) in duplicate;
- Executed Assignment document and 1595 Assignment Cover Sheet (3 pgs);
- Preliminary Amendment (18 pgs);
- Submission of Sequence Listing w/ paper (146 pgs) and computer readable disk;
- English Translation of International Application (270 pgs);
- Executed Declaration and Power of Attorney (3 pgs);
- Copy of International Application as filed;
- Authorization to charge Deposit Account 03-1952; and
- Return Receipt Postcard

RECEIVED



## *Declaration, Power of Attorney and Petition*

*Customer No.*

Page 1 of 3  
0093000064

We (I), the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### METHOD FOR THE PRODUCTION OF POLYUNSATURATED FATTY ACIDS IN PLANTS

the specification of which

[ ] is attached hereto.

[ ] was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and amended on \_\_\_\_\_.

[x] was filed as PCT international application

Number PCT/EP/03/04297 \_\_\_\_\_

on 25 April 2003 \_\_\_\_\_.

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
10219203.0	Germany	29 April 2002	[x] Yes [ ] No

We (I) hereby claim the benefit under Title 35, United States Codes, § 119(e) of any United States provisional application(s) listed below.

(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_

(Application Number) \_\_\_\_\_ (Filing Date) \_\_\_\_\_

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.

**Filing Date**

Status (pending, patented,  
abandoned)

And we (I) hereby appoint MORRISON & FOERSTER LLP, 1650 TYSONS BOULEVARD, SUITE 300, MCLEAN, VIRGINIA 22102-3915 (telephone 703-760-7728), our attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to sign the drawings, to receive the patent, and to transact all business in the Patent Office connected therewith.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Petra Cirpus  
Signature of Inventor

Date **08. Mai 2003**

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Date **08. Mai 2003**

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Date **08. Mai 2003**

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Date **08. Mai 2003**

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